

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:14-CV-182-BR

WOODELL MCGOWAN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
MURPHY-BROWN, LLC, d/b/a)	
SMITHFIELD HOG PRODUCTION)	
DIVISION,)	
)	
Defendant.)	
_____)	

This matter is before the court on defendant's motion to redact final transcripts. (DE # 605.) Plaintiffs do not object to defendant's motion.¹ (DE # 626.)

In its motion, defendant moves to redact (1) confidential juror information from the 28 February 2019 trial transcript (DE # 600) and (2) confidential information discussed from the 19 February 2019 in chambers, (DE # 596).

As for the juror personal identifiers, defendant makes its request in light of its duty to maintain juror confidentiality absent a request for release of juror information form. See Standing Order, No. 17-SO-5, Section 11; Local Civ. R. 5.1(g). As such, defendant's motion as to juror information is ALLOWED.

As for the confidential information discussed on 19 February 2019, such a redaction request is considered a partial sealing of the transcript. The court, therefore, must determine if there is a public right of access to the subject information.

¹ Plaintiffs originally filed a response in opposition (DE # 616), which they withdrew in a notice filed 16 July 2019, (DE # 626).

The First Amendment and common law “right to inspect and copy public records and documents,” Nixon v. Warner Commc’ns, Inc., 435 U.S. 589, 597 (1978), only extend to documents that “play a role in the adjudicative process, or adjudicate substantive rights[.]” In re Application of United States for an Order Pursuant to 18 U.S.C. Section 2703(D), 707 F.3d 283, 290 (4th Cir. 2013). Here, the requested 19 February 2019 redactions are unrelated to the underlying trial and describe confidential conversations between the parties concerning the Discovery Pool and Non-Discovery Pool cases. (Def.’s Mot & Mem., DE # 605, at 5.) The information contained therein played no role in the court’s adjudicative process and, therefore, no public right of access attaches. Defendant’s motion as to confidential information is ALLOWED. The court ORDERS defendant to provide the redactions to the proper court reporter.

This 20 August 2019.

A handwritten signature in green ink, reading "W. Earl Britt", positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge